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Washington, Friday, August 20, 1937

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

ESTABLISHING THE SNAKE RIVER MIGRATORY WATERFOWL REFUGE

Idaho

By virtue of and pursuant to the authority vested in me as President of the United States and by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that all islands in the Snake River within the exterior limits of the following-described area, owned or controlled by the United States, or of which the United States has the use for migratory bird refuge purposes, be, and they are hereby, withdrawn from settlement, location, sale, or entry, and reserved and set apart, subject to valid existing rights, for the use of the Department of Agriculture as a refuge and breeding ground for migratory birds and other wildlife: *Provided*, that upon the acquisition of title to or lease of any privately-owned island by the United States, or upon the termination of any private right to or appropriation of any public-land island within the area, or upon the acquisition of control by the United States of any island within the area, in any other manner, such islands shall be reserved and become a part of the refuge:

BOISE MERIDIAN

- T. 1 N., R. 2 W., sec. 31;
- T. 1 N., R. 3 W., secs. 5, 6, 7, 8, 16, 17, 21, 22, 26, 27, 35, and 36;
- T. 2 N., R. 3 W., sec. 31;
- T. 2 N., R. 4 W., secs. 2, 3, 11, 14, 23, 25, 26, 35, and 36;
- T. 3 N., R. 4 W., secs. 17, 18, 20, 21, 22, 27, 28, and 34;
- T. 3 N., R. 5 W., secs. 3, 4, 10, 11, 13, 14, 15;
- T. 1 S., R. 2 W., secs. 6, 7, 8, 17, 20, 21, 25, 26, 27, 28, 34, 35, and 36;
- T. 1 S., R. 3 W., sec. 1.

This refuge shall be known as the Snake River Migratory Waterfowl Refuge.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
August 17, 1937.

[No. 7691]

[F. R. Doc. 37-2571; Filed, August 18, 1937; 3:12 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

G. R.—A. A. A.—Series G, No. 1 Issued August 19, 1937.
[General Regulations, Series G]

REGULATIONS GOVERNING MEDIATION AND ARBITRATION UNDER SECTION 3 OF THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937.

By virtue of the authority vested in the Secretary of Agriculture by Section 3 (b) of the Agricultural Marketing

Agreement Act of 1937, (Public Law No. 137, 75th Congress) approved June 3, 1937, I, M. L. Wilson, Acting Secretary of Agriculture, do make, prescribe, publish and give notice of the following regulations, to be in force and effect from the date of the approval hereof until amended or superseded by regulations hereafter made by the Secretary of Agriculture.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in duplicate, in the city of Washington, District of Columbia, this 19th day of August, 1937.

[SEAL]

M. L. WILSON,
Acting Secretary of Agriculture.

ARTICLE I. DEFINITIONS

SECTION 100.¹ As used in these regulations:

(a) The term "act" means Public Law No. 10, 73rd Congress, approved May 12, 1933, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (Public Law No. 137, 75th Congress), approved June 3, 1937.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

(c) The term "Department" means the United States Department of Agriculture.

(d) The term "Dairy Section" means the Dairy Section, Division of Marketing and Marketing Agreements, Agricultural Adjustment Administration, United States Department of Agriculture.

(e) The term "cooperative" means any association, incorporated or otherwise, which is in good faith owned or controlled by producers, or organizations thereof, of milk or its products, and which is bona fide engaged in the collective processing or preparing for market or handling or marketing, in the current of interstate or foreign commerce, of milk or its products.

(f) The term "arbitrator" means any officer or employee of the Department designated by the Secretary to arbitrate a bona fide dispute with reference to terms and conditions of the sale of milk or its products, between a producer cooperative and purchasers, handlers, processors, or distributors of milk or its products, pursuant to Section 3 (a) of the Agricultural Marketing Agreement Act of 1937; and when more than one arbitrator is designated, the term "arbitrator" means the full number designated.

(g) The term "mediator" means any officer or employee of the Department designated by the Secretary to mediate a bona fide dispute with reference to terms and conditions of the sale of milk or its products, between a producer cooperative and purchasers, handlers, processors, or distributors of milk or its products, pursuant to Section 3 (a) of the Agricultural Marketing Agreement Act of 1937.

¹ The sections of these regulations are numbered according to the corresponding numbers of the articles. Thus the first section of the first article is section 100, the first section of the second article is section 200, etc.



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ARTICLE II. APPLICATIONS FOR MEDIATION OR ARBITRATION

SECTION 200. Filing.—All applications for mediation or arbitration, all submissions, and all correspondence regarding mediation or arbitration shall be addressed to the Secretary, attention of the Dairy Section.

ARTICLE III. MEDIATION

SECTION 300. Application for Mediation.—An application for mediation by a cooperative shall be in writing and shall include the following information:

- (a) Names in full of the parties to the dispute and their addresses;
- (b) Description of the cooperative organization and business, including copies of the articles of incorporation or association, by-laws, membership contract, number of shares of outstanding stock, approximate portion owned by active producers; function performed in connection with the collective processing, preparing, handling, or marketing of milk or its products; and distribution of membership by States, distribution by States of plant facilities for collecting, processing, or disposing of milk or its products, business operations for year last past, including total quantity of milk and its products handled by the applicant and proportion of that quantity sold in States other than the States of production.

(c) Suggested time and place for meeting between parties and mediator.

SECTION 301. Inquiry by the Secretary.—Upon receipt of an application for mediation, the Secretary, through such officers or employees of the Department as he may designate, may make any inquiry which is deemed to be necessary or proper in order to determine whether a bona fide dispute exists.

SECTION 302. Notification.—The Secretary will notify the applicant as to whether he considers that mediation will effectuate the purpose of the act and as to whether he will mediate.

SECTION 303. Assignment of Mediator.—The Chief of the Dairy Section shall assign a mediator, from the group designated by the Secretary, to act in such capacity.

SECTION 304. Meetings.—All meetings held pursuant to Article III hereof shall be held with and under the direction of the mediator.

SECTION 305. Mediator's Report.—The mediator, upon the completion of mediation proceedings, shall submit to the Secretary a complete report on such proceedings.

SECTION 306. Mediation Agreement.—An agreement arrived at by mediation shall not become effective until approved by the Secretary, and the Secretary will not approve an agreement if there is evidence of fraud, if there is lack of evidence to support the agreement, or if the agreement provides for any unfair trade practices.

ARTICLE IV. ARBITRATION

SECTION 400. Application for Arbitration.—An application for arbitration by a cooperative shall be in writing and shall contain the following information:

- (a) Names in full of the parties to the dispute and their addresses;
 - (b) The same information required under Article III, section 300 (b) hereof;
 - (c) Concise statement of dispute to be submitted;
 - (d) Originals or certified copies of all contracts, if any, involved in the dispute, and of correspondence which has passed between the parties, and of any other documents or information relied upon;
 - (e) Dates before which it is desired that the hearing shall be had and the award shall become effective;
 - (f) Suggested time and place for arbitration hearing.
- The applicant shall send a copy of the application to each other party to the dispute.

SECTION 401. Inquiry by the Secretary.—Upon receipt of an application for arbitration, the Secretary, through such officers or employees of the Department as he may designate, may make any inquiry deemed to be necessary or proper to determine whether a bona fide dispute exists, assist the parties in reducing the dispute to well-defined issues, and select the arbitrator who would be satisfactory to all parties.

SECTION 402. Notification.—The Secretary, within a reasonable time after the receipt of an application, will notify the applicant as to whether he will grant the application.

SECTION 403. Submission.—A. Within a reasonable time after the receipt of the Secretary's consent to arbitrate, the parties to the dispute shall file with the Secretary a formal submission, which shall contain the following information:

- (a) Names in full of the parties;
- (b) Addresses of the parties to whom all notifications and communications concerning the arbitration shall be sent;
- (c) Description of the organization and businesses of all parties to the dispute, including sufficient information to show that the cooperative is a bona fide one, and that the parties are engaged in interstate commerce;
- (d) Concise statement of the specific questions submitted and a brief outline of the contentions of each party to the dispute concerning which facts will be presented at the hearing, and a statement as to the period during which the award shall be in effect, said period to be not less than thirty days from the effective date of the award;
- (e) Name of arbitrator;

(f) Time and place of arbitration, including street address;

(g) Stipulation by the parties that they will produce any books, records and correspondence required by the arbitrator as being necessary to a fair determination of the dispute;

(h) Agreement by the parties that they will consider the award as final and will comply therewith;

(i) Stipulation by the parties that arbitration is to take place under rules and regulations issued by the Secretary, and that any such rules and regulations pertaining to mediation and arbitration shall be considered a part of the submission;

(j) Stipulation that stenographic report of the proceedings must be made.

B. The submission shall be signed by each party before a notary public, and when the signature is that of an agent of a corporation or cooperative association, the same shall be accompanied by evidence of the authority to sign.

C. A submission may be withdrawn at any time before the award, and any question held by the arbitrator to be a separable question may be withdrawn before award by agreement of all parties. When any question is so withdrawn, the parties shall file with the arbitrator the agreement on that question reached by the parties, showing all the details thereof, and the arbitrator shall include it in the record of the arbitration.

SECTION 404. *Designation of Arbitrator.*—The Secretary, after receiving the submission, will designate one or more persons to act as arbitrator.

SECTION 405. *Hearing.*—A. The arbitrator shall have full discretion to conduct the hearing in such manner as will, in his opinion, enable him to ascertain all the facts in the case.

B. Hearings shall be private.

C. Parties may appear in person or by duly accredited agents and may be represented by counsel.

D. All relevant and material evidence may be presented, and the arbitrator shall not be bound by the legal rules of evidence.

E. The arbitrator, in the presence of the parties, may require the production of books and records for examination by himself, but not for examination of confidential information by other parties to the dispute, unless the party producing the same consents to its examination by the other parties to the dispute.

F. No evidence offered by one party shall be received except in the presence of all parties unless the parties so agree in a submission specifying the nature of the evidence to be received, but final determination as to what will be considered confidential shall be made by the arbitrator.

G. The arbitrator may request the opinions of economists, marketing specialists, statisticians, lawyers, accountants, and other experts.

H. When two or more arbitrators are designated to hear a dispute, and they disagree, the award of the majority shall be the final award. If the arbitrators are evenly divided, there shall be no award.

I. A stenographic record of all the proceedings during arbitration hearing must be made.

SECTION 406. *Award.*—A. An award shall be made within ten days after the close of the hearing.

B. The arbitrator, in making the award, may use his own technical knowledge in addition to the evidence submitted by the parties.

C. The award shall be in writing and shall cover only points of dispute raised in the submission.

D. The award shall not contain a statement of the reason for the arbitrator's decision.

E. The award shall state the period during which it shall be in effect, said period to be not less than thirty days from the effective date thereof; and said period may be extended by agreement among the parties upon notification thereof to the Secretary, unless or until the Secretary withdraws his approval.

F. The arbitrator shall sign the award in the presence of a notary public, or, when more than one arbitrator is designated, the arbitrators shall sign in the presence of each other.

G. Copies of the award shall be delivered to the parties by the Dairy Section.

SECTION 407. *Approval of Award.*—The award shall not become effective until approved by the Secretary, and the Secretary will not approve an award if there is evidence of fraud, misconduct of the arbitrator, lack of evidence to support the award, or if the award provides for any unfair trade practice.

SECTION 408. *Costs.*—A. The parties jointly shall pay for the stenographic record, and a copy of the record shall be furnished by the parties to the arbitrator and shall be forwarded by him to the Secretary, ultimately to be filed in the Department.

B. The arbitrator shall not receive compensation from parties to the dispute.

ARTICLE V. CONSTRUCTION

SECTION 500. Nothing contained in these regulations shall be, or shall be construed to be, in derogation or modification of the rights of the Secretary or of the United States to exercise any jurisdiction or power granted by the act, or otherwise.

[F. R. Doc. 37-2579; Filed, August 19, 1937; 12:38 p. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1937.

Commissioners: William A. Ayres, Chairman, Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3186]

IN THE MATTER OF COVERED BUTTON AND BUCKLE CREATORS, INC., ITS OFFICERS, MAX PEARLSTEIN, PRESIDENT, ABRAHAM AVIN, VICE PRESIDENT, ISIDORE FELDMAN, TREASURER, IRVING SCHWARTZ, SECRETARY, ITS DIRECTORS, JACK KINSLER, MURRAY HORNER, ISIDORE NECHIM, MAX GOLDFEDER, BEN BLOCK, JACOB NEIDERBACH, SAMUEL BROWN, ISIDORE SPIER; AND ITS FOLLOWING MEMBERS, INDIVIDUALLY AND AS REPRESENTATIVE MEMBERS OF THE COVERED BUTTON AND BUCKLE CREATORS, INC., REGAL TRIMMING AND BUTTON CO., INC., RAPID BUTTON CO., INC., UNITY BUTTON WORKS, INC., N. B. BUTTON WORKS, INC., INTERNATIONAL BUTTON CO., INC., MAX GOLDFEDER, DOING BUSINESS UNDER THE TRADE NAME GRAND BUTTON WORKS; BEN BLOCK, LOUIS ROSENFELD AND SAM WEINER, DOING BUSINESS AS MITROSE BUTTON WORKS; JACOB NEIDERBACH, TRADING AS NOVELTY BUTTON WORKS; SAMUEL BROWN, DOING BUSINESS UNDER THE TRADE NAME, BROWN BUTTON WORKS; ISIDORE SPIER AND HARRY GARDNER, COPARTNERS TRADING AS IDEAL BUTTON WORKS; ABRAHAM AVIN, TRADING AS PRACTICAL BUTTON AND TRIMMING CO., AND IRVING SCHWARTZ, DAVID M. SCHWARTZ AND IDA SCHWARTZ, COPARTNERS TRADING AS COSMOPOLITAN BUTTON CO.

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Friday, August 27, 1937, at two o'clock

in the afternoon of that day (eastern standard time), Room 424, 815 Connecticut Avenue, N. W., Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 37-2577; Filed, August 19, 1937; 10:49 a. m.]

INTERNATIONAL FISHERIES COMMISSION.

REGULATIONS OF THE INTERNATIONAL FISHERIES COMMISSION ADOPTED PURSUANT TO THE PACIFIC HALIBUT FISHERY CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE DOMINION OF CANADA, SIGNED JANUARY 29, 1937¹

1. The convention waters shall be divided into the following areas, all directions given being magnetic.

(a) Area 1 shall include all convention waters southeast of a line running northeast and southwest through Willapa Bay Light on Cape Shoalwater, as shown on Chart 6185, published in May, 1926, by the United States Coast and Geodetic Survey, which light is approximately in latitude 46°43'07" N., longitude 124°04'18" W.

(b) Area 2 shall include all convention waters off the coasts of the United States of America and of Alaska and of the Dominion of Canada between Area 1 and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304, published in September, 1923, by the United States Coast and Geodetic Survey, which light is approximately latitude 58°11'48" N., longitude 136°38'24" W., thence south one-quarter east and is exclusive of the areas closed to all halibut fishing in Section 8 of these regulations.

(c) Area 3 shall include all the convention waters off the coast of Alaska that are between Area 2 and a straight line running south from the southwestern extremity of Cape Sagak on Umnak Island, at a point approximately latitude 52°41'25" N., longitude 168°58'05" W., and that are south of the Alaska Peninsula and of the Aleutian Islands including the intervening straits or passes.

(d) Area 4 shall include all convention waters not included in Areas 1, 2, and 3, and those areas defined in section 8.

2. The catch of halibut to be taken during the halibut fishing season of 1937 from Area 2 shall be limited to approximately 21,700,000 pounds of salable halibut, and from Area 3 to approximately 24,300,000 pounds of salable halibut, or, if the International Fisheries Commission shall at any time so decide, the catch shall not be limited separately in Areas 2 and 3, but shall be limited to 46,000,000 pounds of salable halibut from the combined Areas 2 and 3, the weights in each or any such limit to be computed as with heads off and entrails removed. The International Fisheries Commission shall as early in the said year as is practicable determine and announce to the respective Governments the date on which it deems each such limit of catch will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and the area or areas to which such limit applies shall at that date be closed to fishing for halibut until after the close season as defined and modified in Section 3 of these regulations provided that if it shall at any time become evident to the International Fisheries Commission that the limit will not be reached by such date it may substitute another date, and provided also that the closure of Area 2 or 3, whichever shall be later, shall apply to Area 4, and that the closure of Area 2 shall apply to Area 1, and provided further that nothing in this regulation shall prohibit the fishing for other species of fish and fishing by the International Fisheries Commission as provided for in Article I of the Treaty.

3. Under the authority of Article I of the aforesaid Convention the close season as therein defined shall be modified

so as to end at 12 midnight of March 31 of each year and shall begin at 12 midnight of November 30 of each year unless an earlier date is determined upon for any area by the International Fisheries Commission under the provisions of Section 2 of these regulations as that on which it deems the limitation of catch for such area shall be attained, provided also that the International Fisheries Commission may fix any date subsequent to November 1 as the commencement of the close season regardless of the catch which it deems will be attained by such date.

4. After any date on which the International Fisheries Commission shall announce to the respective Governments that in its judgment the vessels which have departed for Area 3 prior to that date or which are known to be fishing in Area 3 shall suffice to catch the limit which is set for that area in Section 2, the departure for halibut fishing in the said area of any vessel from any port or place, or from any receiving vessel or station shall be prohibited during the remainder of the season when the said area is open to halibut fishing; provided that vessels which have departed for halibut fishing prior to said date and which shall hold a valid license as herein provided in Section 7 (a) for such fishing may again depart from any port or harbor en route to or in the vicinity of the fishing grounds when such port or harbor is uninhabited, and from any port or from any place within a port at which halibut shall not have been landed, transferred, or discharged by said vessel since the said date, when said port or place has been entered solely for shelter, repairs or supplies, and provided further that the place of departure may be designated for any port by the customs or enforcing officer in authority who may there or elsewhere at his discretion inspect the cargo of any departing vessel which he may have reason to believe has entered with halibut on board.

5. There may be retained in possession on any vessel which shall have a permit as provided in Section 6 (b) that halibut which is taken incidentally to fishing by that vessel with set lines for other species and there may be sold not to exceed one pound of halibut for each seven pounds of other species caught by set lines, not including salmon, and sold as the catch of said vessel, the weight of all such fish to be computed as provided in Section 2 for halibut. Halibut retained under such permit shall not be landed or otherwise removed from the catching vessel until it has been reported to a customs or other authorized officer of either Government nor shall any vessel receive it for transportation unless it shall be reported to the said officer prior to departure from port, and it and all fish of other species shall be removed from the catching vessel under such supervision as the said officer may deem advisable. Such halibut shall not be purchased or held in possession by any person other than the master, operator or crew of the catching vessel in excess of the proportion herein allowed until such excess whatever its origin shall have been forfeited and surrendered to the customs or other authorized officers of either Government. All purchasers shall make statistical return as to the halibut and as to the other species landed therewith within such time as the supervising officer shall require.

The International Fisheries Commission shall announce a date in each calendar year for each area after which no permit shall be granted or be valid for retention of halibut caught therein, provided that such date shall not be later than closure of the last area open to halibut fishing in convention waters.

6. (a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the respective Governments for the carriage of freight, must be licensed by the International Fisheries Commission, provided that vessels of less than five net tons or vessels fishing otherwise than with set lines or bottom nets or trawls, need not be licensed during the open season prior to the date after which departure for any area shall be prohibited under Section 4 of these regulations.

¹ 2 F. R. 1064 (DI).

Each licensed vessel shall carry this license on board at all times while at sea whether it is validated for halibut fishing or endorsed with a permit as hereinafter provided, and this license shall at all times be subject to inspection by authorized officers of either Government or by representatives of the International Fisheries Commission.

The license shall be issued without fee by the customs officers of either Government or by representatives of the International Fisheries Commission. Licenses issued under the Convention for the preservation of the Halibut Fishery signed May 9, 1930, shall be regarded as issued under the supplanting Convention signed January 29, 1937.

A new license may be issued by the officer accepting statistical return at any time to vessels which have furnished proof of loss of the license form previously issued, or when there shall be no further space for record thereon, providing the receipt of statistical return shall be shown on the new form for any halibut or other species taken during or after the voyage upon which loss occurred. The old license form shall be forwarded in each case to the International Fisheries Commission.

(b) Any vessel which shall be used in fishing for other species than halibut in any area closed to halibut fishing, or which shall depart for fishing in any area when departure for halibut fishing therein is prohibited, must have a permit if it shall retain, land or sell any halibut caught incidentally to such fishing or possess any halibut of any origin during such fishing, as provided in Section 5. The permit shall be shown by endorsement of the issuing officer on the face of the halibut license form held by said vessel and shall terminate at the time of first landing thereafter of fish of any species. A permit shall not be issued to any vessel which shall have halibut on board taken while licensed to fish in an open area unless such halibut shall be considered as taken under the issued permit and as thereby subject to forfeiture when landed if in excess of the amount permitted in Section 5. A permit shall not be issued to, or be valid if held by, any vessel which shall fish with other than set lines.

7. (a) The license or permit of any vessel shall not be valid unless the license is validated or the permit is granted before departure is allowed from the port of last clearance prior to each fishing operation for which statistical returns are required. This validation of a license or granting of a permit shall be by customs officers and shall not be made unless the area or areas in which the vessel will fish is entered on the license form and unless the provisions of Sections 7 (b) and 7 (c) have been complied with for all landings and all fishing operations since issue of the license or permit, provided that if the master or operator of any vessel shall fail to comply with the provisions of Sections 7 (b) and 7 (c) the license or permit of such vessel may be validated or issued by customs officers or authorized representatives of the International Fisheries Commission only upon evidence either that there has been a judicial determination of the offense or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

The license shall not be valid for halibut fishing in any area closed to halibut fishing, nor shall it be valid for halibut fishing in any area while a permit endorsed thereon is in effect, nor shall it be validated while halibut taken under such permit is on board.

When departure for halibut fishing in Area 3 has been prohibited as provided in Section 4, the license of any vessel which shall fish for halibut or retain halibut in possession within that area shall not be valid, nor be validated, for halibut fishing after any landing, transfer, or sale of halibut by such vessel subsequent to the date of this prohibition. Such license shall not be valid, nor be validated, after any entry into a port at which there shall be customs officers or others authorized to accept statistical return or to validate licenses unless the arrival of the vessel shall have been reported to such officers prior to any lading or discharge of

cargo, and unless such information shall have been provided or inspection made as they shall require and unless statistical return supported by a sworn statement shall have been made showing that said vessel discharged no halibut since departure for halibut fishing was permitted, whereupon if the provisions of these regulations have otherwise been complied with, the license may be again validated and departure permitted as provided in Section 4.

(b) Statistical return as to the amount of halibut taken during fishing operations must be made by the master or operator of any licensed vessel and as to the amount of halibut and other species by the master or operator of any vessel operating under permit as provided for in Sections 5 and 6 (b), within 48 hours of landing, sale or transfer of halibut or of first port entry thereafter, except that within any area in which the catch is not limited by these regulations the master or operator of a licensed vessel shall make statistical returns at such times as are required by the customs officers or the International Fisheries Commission, but shall at all times keep with the license form such records as are necessary to make such return. The statistical return must state the port of landing, the amount of each species taken within each area defined in these regulations, and the dates of operation in each area. The total return must include all halibut landed or transferred to other vessels and all halibut held in possession on board and must be full, true and correct in all respects herein required. A copy of such return must be forwarded to the International Fisheries Commission at such times as the latter shall require.

The master or operator and/or any person engaged on shares in the operation of any vessel licensed or holding a permit under these regulations may be required by the International Fisheries Commission or by any officer authorized to receive such return to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. Validation of a license or issuance of a permit after such sworn return is made shall be provisional and shall not render the license or permit valid in case the return shall later be shown to be false or fraudulently made.

(c) The master or operator of any vessel holding a license or permit under these regulations shall keep an accurate log of all fishing operations including therein date, locality, amount of gear used, and the amount of halibut taken daily in each such locality. This log record shall be open to inspection of representatives of the International Fisheries Commission authorized for this purpose. The master, operator and/or any other person engaged on shares in the operation of any vessel licensed under these regulations may be required by the International Fisheries Commission or by any officer of either Government to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

(d) All persons, firms, or corporations that shall buy halibut or receive halibut for any purpose from fishing or transporting vessels shall keep and on request furnish to customs officers or to any enforcing officer of either Government or to the International Fisheries Commission, records of each purchase or receipt of halibut, showing date, locality, name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut and other species landed with the halibut, providing that such return must be made to customs or enforcing officers within such time as they shall require after the purchase or landing of any halibut caught or landed by a vessel operating under permit, as provided in Sections 5 and 6 (b). Such persons, firms, or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement. The knowing possession by such persons, firms or corporations of halibut taken by an unlicensed vessel, or a vessel without permit when such license or permit is required shall be prohibited.

8. The following areas having been found to be populated by small immature halibut, are hereby closed to all halibut fishing and the possession of halibut of any origin is prohibited therein during fishing for other species:

First, that area in the waters off the coast of Alaska within the following boundary as stated in terms of the magnetic compass unless otherwise indicated; from the north extremity of Cape Ulitka, Noyes Island, approximately latitude 55°33'42" N., longitude 133°43'39" W., to the south extremity of Wood Island, approximately latitude 55°39'38" N., longitude 133°42'32" W.; thence to the east extremity of Timbered Islet, approximately latitude 55°41'42" N., longitude 133°47'45" W.; thence to the true west extremity of Timbered Islet, approximately latitude 55°41'41" N., longitude 133°48'04" W.; thence southwest three-quarters south sixteen and five-eighths miles to a point approximately latitude 55°35'00" N., longitude 134°14'45" W.; thence southeast by south twelve and five-eighths miles to a point approximately latitude 55°22'24" N., longitude 134°13'05" W.; thence northeast fourteen miles to the southern extremity of Cape Addington, Noyes Island, latitude 55°26'06" N., longitude 133°49'14" W.; and to the point of origin on Cape Ulitka. The boundary lines herein indicated shall be determined from Chart 8157, as published by the United States Coast and Geodetic Survey at Washington, D. C., in April, 1925, except for the point of Cape Addington which shall be determined from Chart 8158, as published by the United States Coast and Geodetic Survey in December, 1923, provided that the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

Second, that area lying in the waters off the north coast of Graham Island, British Columbia, within the following boundary: From the northwest extremity of Wiah Point, latitude 54°06'50" N., longitude 132°19'18" W., true north five and one-half miles to a point approximately latitude 54°12'20" N., longitude 132°19'18" W.; thence true east approximately sixteen and three-tenths miles to a point which shall lie northwest (according to magnetic compass at any time), of the highest point of Tow Hill, Graham Island, latitude 54°04'24" N., longitude 131°48'00" W.; thence southeast to the said highest point of Tow Hill. The points on the shoreline of the above mentioned island shall be determined from Chart 3754, published at the Admiralty, London, April 11, 1911, provided that the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

9. The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of these regulations is prohibited in Areas 1 and 2.

10. These regulations shall supersede all previous regulations adopted pursuant to the Convention between the United States of America and the Dominion of Canada for preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed May 9, 1930.

Regulations adopted August, 1937.

GEORGE J. ALEXANDER, *Chairman*.
FRANK T. BELL,
A. J. WHITMORE,
EDWARD W. ALLEN, *Secretary*.

Approved:

FRANKLIN D. ROOSEVELT
August 6th 1937.

[F. R. Doc. 37-2572; Filed, August 19, 1937; 9:28 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 13th day of August, A. D. 1937.

IN THE MATTER OF A UNIFORM SYSTEM OF ACCOUNTS TO BE KEPT BY STEAM ROADS

The matter of accounting for taxes assessed under the provisions of the Social Security Act and the Carriers Taxing Act being under consideration:

It is ordered, That Accounting Bulletin No. 15, Interpretations of Accounting Classifications, Prescribed by the Interstate Commerce Commission, for Steam Roads, effective January 1, 1918, be and is hereby amended by the addition of the following:

CASE 296

Query:

(A) In case taxes assessed under the provisions of the Social Security Act and the Carriers Taxing Act of 1937, based on the payroll of the carriers' employees, are added to the cost of labor performed for others, what is the proper accounting,

- (a) In connection with joint facility arrangements
- (b) For work not involving joint facility arrangements?

(B) Shall these taxes relating to the pay of the carriers' own employees while assigned to addition and betterment work be included in the investment in road and equipment accounts?

Answer:

(A)—

(a) Such amounts added by the creditor company shall be credited by it to account 508, "Joint facility rent income," and shall be charged by the debtor company to account 541, "Joint facility rents."

(b) Such amounts added by the creditor company shall be credited by it to account 143, "Miscellaneous," and shall be included by the debtor company (if a common carrier) in the accounts appropriate for the cost of the work performed.

(B) No part of these taxes assessed against the carrier shall be included in the investment in road and equipment accounts.

By the Commission, division 4.

[SEAL]

W. P. BARTEL, *Secretary*.

[F. R. Doc. 37-2578; Filed, August 19, 1937; 12:02 p. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 123]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 10, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Iowa 8014B Humboldt (partial)	\$115,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 37-2575; Filed, August 19, 1937; 9:48 a. m.]

[Administrative Order No. 124]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 12, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Illinois 8004B Peoria.....	\$97,500

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 37-2576; Filed, August 19, 1937; 9:49 a. m.]

[Administrative Order No. 125]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 12, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sum authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Alabama 8023B Pike.....	\$310,000
Kentucky 8021B Nelson.....	97,000
Maine 8002 Penobscot.....	60,000
Michigan 8026B Ingham.....	200,000
North Carolina 8023W Caldwell.....	22,000
South Dakota 8006B Union.....	101,000
Tennessee 8017 Hardeman.....	13,200
Wisconsin 8043A Grant.....	200,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 37-2573; Filed, August 19, 1937; 9:48 a. m.]

[Administrative Order No. 126]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 14, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Indiana 8009B Marshall (partial).....	\$100,000
Indiana 8015 Fayette.....	108,000
Indiana 8018B Rush (partial).....	100,000
Indiana 8029 Fulton (partial).....	150,000
Indiana 8059B Wayne (partial).....	150,000
Indiana 8080B Noble (partial).....	150,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 37-2574; Filed, August 19, 1937; 9:48 a. m.]

